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CE

Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION
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Victoria Ruston, Chief
Section of Environmental Analysis
Surface Transportation Board

June 9, 2008

395 E street, S.W
Washington, D.C 20024

RE: Finance Docket No. 33407, Dakota, Minnesota & Eastern Railroad Corporation,
Construction into the Powder River Basin: Section 106 PA extension.

Dear Ms. Ruston,

I object to automatically extending the existing Programmatic Agreement on the DM&E
railroad corridor because the existing PA does not:

1. Have a commitment to a 100% cultural resource survey of the entire corridor.
2. Require the presence of American Indian monitors during all cultural resource surveys, mitigation and construction.
3. Ensure that the financial burden for American Indian monitors is born by DM&E rather than the Tribes.
4. Address the on-going participation of and the consultation with Tribes who did not sign the original PA.

Commitments to the above in other sources (e.g., comments in meetings) are not acceptable. The above issues must be included in the PA before they can be considered binding, by either parties.

Respectfully,

Dianne Desrosiers, SWO-THPO